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February 17, 1909.
[S. 9295.]

[Public, No. 235.]

Secretary of State.
Salary of, reduced.
Vol. 34, p. 993, amended.
Post, p. 861.

CHAP. 137.—An Act In relation to the salary of the Secretary of State.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section four of the Act entitled "An Act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and eight, and for other purposes," approved February twenty-sixth, nineteen hundred and seven, fixing the annual compensation of heads of executive departments, be, and the same is hereby, repealed in so far as the same relates to the annual compensation of the Secretary of State; and the annual compensation of the Secretary of State shall be at the rate of eight thousand dollars.

Emoluments limited.

SEC. 2. That on and after March fourth, nineteen hundred and nine, there shall be no emoluments attached to the office of Secretary of State other than those which by the law in force on the first day of May, nineteen hundred and four, belonged and were then attached to said office.

Effect.

SEC. 3. That this Act shall take effect and be in force from and after March fourth, nineteen hundred and nine.

Approved, February 17, 1909.

February 17, 1909.
[H. R. 21458.]

[Public, No. 236.]

University of Idaho.
Sale of land within Coeur d'Alene Indian Reservation to, authorized.

CHAP. 138.—An Act Authorizing sales of land within the Coeur d'Alene Indian Reservation to the Northern Idaho Insane Asylum and to the University of Idaho.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized, in his discretion, to sell to the regents of the University of the State of Idaho, for the use of said university, land not to exceed six hundred and forty acres in area, to be selected by the said regents of the said university within the limits of the Coeur d'Alene Indian Reservation, upon the approval of the Secretary of the Interior, said regents to pay therefor, upon receiving a grant thereof, such price as shall be fixed by the Secretary of the Interior but which shall not be less than two dollars and fifty cents per acre.

Minimum price per acre.
Deposit of proceeds.

The moneys derived from said sale shall be deposited in the Treasury of the United States for the benefit of the Indians of said reservation.

Approved, February 17, 1909.

February 18, 1909.
[S. 1574.]

[Public, No. 237.]

Calaveras Bigtree National Forest, Cal.
Creation of, authorized.

CHAP. 143.—An Act To create the Calaveras Bigtree National Forest, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture, to secure and protect for all time the big trees scientifically known as Sequoia washingtoniana, is hereby empowered, in his discretion, to obtain for the United States the complete title to any or all of the following-described lands in the State of California: In township four north, range fifteen east, Mount Diablo meridian, the northeast quarter of section one; in township four north, range sixteen east, Mount Diablo meridian, the north half of section six; in township five north, range fifteen east, Mount Diablo meridian, the southwest quarter of section fourteen, south half of section fifteen, north half of section twenty-two, northwest quarter of section twenty-three, and southeast quarter of section thirty-six, and in township five north, range sixteen east, Mount Diablo meridian, the west half of section twenty-eight, the east half and southwest quarter of section twenty-nine, the southeast quarter of section thirty, all of sections thirty-

Description.

one, thirty-two, and the northwest quarter of section thirty-three. And such area or areas, as fast as complete title is acquired, shall be permanently held by the United States and shall be known as the Calaveras Bigtree National Forest and shall be administered, and protected, by the Secretary of Agriculture from the funds appropriated for the administration of National Forest land to prolong the existence, growth, and promote the reproduction of said big trees: *Provided*, That the owners of land acquired hereunder shall convey to the United States full title to any of the above-described areas approved for said national forest by the Secretary of Agriculture, the completeness of such title to be determined by the Secretary of the Interior in each case, and shall be reimbursed therefor only in any or all of three ways: They may be given the right to file with the Secretary of the Interior, within sixty days after any such conveyance, selections for an equal area of surveyed, unreserved, unappropriated, nonmineral public lands which, if found subject to such lieu selection, and of a value substantially equal to that of the amounts conveyed, may be patented to said owners in lieu of the land conveyed, and if any selection is rejected other selections may be made under conditions applicable to the one rejected; or the Secretary of Agriculture may grant to any such conveying owner the right to cut from national forest land an amount of timber and wood, substantially equal to the amount of timber and wood on the land acquired by the United States under the provisions of this Act: *Provided*, That nothing contained in this Act shall warrant an appropriation from the Treasury to carry out the terms of this Act.

Name.

Provisos.
Title.

Reimbursement plan.

No appropriation.

Approved, February 18, 1909.

CHAP. 144.—An Act To amend the laws of the United States relating to the registration of trade-marks.

February 18, 1909.
[S. 3969.]

[Public, No. 238.]

Trade-marks.
Laws of, extended to interstate commerce.
Vol. 33, p. 724, amended.
Vol. 34, p. 169, amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Section two of the Act of February twentieth, nineteen hundred and five, and Section one of the Act of May fourth, nineteen hundred and six, be, and the same are hereby, amended so that the sections shall, respectively, read as follows:

"SEC. 2. That the application prescribed in the foregoing section, in order to create any right whatever in favor of the party filing it, must be accompanied by a written declaration verified by the applicant, or by a member of the firm or an officer of the corporation or association applying, to the effect that the applicant believes himself or the firm, corporation, or association in whose behalf he makes the application to be the owner of the trade-mark sought to be registered, and that no other person, firm, corporation, or association, to the best of the applicant's knowledge and belief, has the right to use such trade-mark in the United States, either in the identical form or in such near resemblance thereto as might be calculated to deceive; that such trade-mark is used in commerce among the several States, or with foreign nations, or with Indian tribes, and that the description and drawing presented truly represent the trade-mark sought to be registered. If the applicant resides or is located in a foreign country, the statement required shall, in addition to the foregoing, set forth that the trade-mark has been registered by the applicant, or that an application for the registration thereof has been filed by him in the foreign country in which he resides or is located, and shall give the date of such registration, or the application therefor, as the case may be, except that in the application in such cases it shall not be necessary to state that the

Verified declaration of ownership.
R. S., sec. 4938, p. 955, amended.

Use in the United States.

Applicants residing abroad.

Proof of registration, etc., in country of residence.